

PATENT COOPERATION TREATY

From the INTERNATIONAL SEARCHING AUTHORITY

PCT

To: **DARIN GIBBY**
TOWNSEND AND TOWNSEND AND CREW
LLP
1200 17TH STREET, SUITE 2700
BANK OF AMERICA PLAZA
DENVER, CO 80202

NOTIFICATION OF TRANSMITTAL OF
 THE INTERNATIONAL SEARCH REPORT AND
 THE WRITTEN OPINION OF THE INTERNATIONAL
 SEARCHING AUTHORITY, OR THE DECLARATION

(PCT Rule 44.1)

Applicant's or agent's file reference 20375-441-2P	Date of mailing (day/month/year) 27 JAN 2009
International application No. PCT/US2008/072638	International filing date (day/month/year) 08 August 2008
Applicant FIRST DATA CORPORATION	

1. ☒ The applicant is hereby notified that the international search report and the written opinion of the International Searching Authority have been established and are transmitted herewith.
Filing of amendments and statement under Article 19:
 The applicant is entitled, if he so wishes, to amend the claims of the international application (see Rule 46):
When? The time limit for filing such amendments is normally two months from the date of transmittal of the international search report.
Where? Directly to the International Bureau of WIPO, 34 chemin des Colombettes
 1211 Geneva 20, Switzerland, Facsimile No.: +41 22 740 14 35
For more detailed instructions, see the notes on the accompanying sheet.
2. ☐ The applicant is hereby notified that no international search report will be established and that the declaration under Article 17(2)(a) to that effect and the written opinion of the International Searching Authority are transmitted herewith.
3. ☐ **With regard to the protest** against payment of (an) additional fee(s) under Rule 40.2, the applicant is notified that:
☐ the protest together with the decision thereon has been transmitted to the International Bureau together with the applicant's request to forward the texts of both the protest and the decision thereon to the designated Offices.
☐ no decision has been made yet on the protest; the applicant will be notified as soon as a decision is made.
4. **Reminders**
 Shortly after the expiration of **18 months** from the priority date, the international application will be published by the International Bureau. If the applicant wishes to avoid or postpone publication, a notice of withdrawal of the international application, or of the priority claim, must reach the International Bureau as provided in Rules 90bis.1 and 90bis.3, respectively, before the completion of the technical preparations for international publication.
 The applicant may submit comments on an informal basis on the written opinion of the International Searching Authority to the International Bureau. The International Bureau will send a copy of such comments to all designated Offices unless an international preliminary examination report has been or is to be established. These comments would also be made available to the public but not before the expiration of 30 months from the priority date.
 Within **19 months** from the priority date, but only in respect of some designated Offices, a demand for international preliminary examination must be filed if the applicant wishes to postpone the entry into the national phase **until 30 months** from the priority date (in some Offices even later); otherwise, the applicant must, **within 20 months** from the priority date, perform the prescribed acts for entry into the national phase before those designated Offices.
 In respect of other designated Offices, the time limit of **30 months** (or later) will apply even if no demand is filed within 19 months.
 See the Annex to Form PCT/IB/301 and, for details about the applicable time limits, Office by Office, see the *PCT Applicant's Guide*, Volume II, National Chapters and the WIPO Internet site.

Name and mailing address of the ISA/US Mail Stop PCT, Attn: ISA/US Commissioner for Patents P.O. Box 1450, Alexandria, Virginia 22313-1450 Facsimile No. 571-273-3201	Authorized officer: Blaine R. Copenhaver Telephone No. 571-272-7774
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PATENT COOPERATION TREATY

PCT

INTERNATIONAL SEARCH REPORT

(PCT Article 18 and Rules 43 and 44)

Applicant's or agent's file reference 20375-441-2P	FOR FURTHER ACTION <div style="float: right; font-size: small;">see Form PCT/ISA/220 as well as, where applicable, item 5 below.</div>	
International application No. PCT/US2008/072638	International filing date (day/month/year) 08 August 2008	(Earliest) Priority Date (day/month/year) 10 August 2007
Applicant FIRST DATA CORPORATION		

This international search report has been prepared by this International Searching Authority and is transmitted to the applicant according to Article 18. A copy is being transmitted to the International Bureau.

This international search report consists of a total of 2 sheets.

☐ It is also accompanied by a copy of each prior art document cited in this report.

1. Basis of the report

a. With regard to the **language**, the international search was carried out on the basis of:

- ☒ the international application in the language in which it was filed
☐ a translation of the international application into _____, which is the language of a translation furnished for the purposes of international search (Rules 12.3(a) and 23.1(b))

b. ☐ With regard to any **nucleotide and/or amino acid sequence** disclosed in the international application, see Box No. I.

2. ☐ **Certain claims were found unsearchable** (see Box No. II)

3. ☐ **Unity of invention is lacking** (see Box No. III)

4. With regard to the **title**,

- ☐ the text is approved as submitted by the applicant
☐ the text has been established by this Authority to read as follows:

5. With regard to the **abstract**,

- ☐ the text is approved as submitted by the applicant
☐ the text has been established, according to Rule 38.2(b), by this Authority as it appears in Box No. IV. The applicant may, within one month from the date of mailing of this international search report, submit comments to this Authority

6. With regard to the **drawings**,

- a. the figure of the **drawings** to be published with the abstract is Figure No. _____
☐ as suggested by the applicant
☐ as selected by this Authority, because the applicant failed to suggest a figure
☐ as selected by this Authority, because this figure better characterizes the invention
- b. ☐ none of the figures is to be published with the abstract

INTERNATIONAL SEARCH REPORT

International application No.

PCT/US2008/072638

A. CLASSIFICATION OF SUBJECT MATTER

IPC(8) - G06Q 30/00 (2008.04)

USPC - 705/44

According to International Patent Classification (IPC) or to both national classification and IPC

B. FIELDS SEARCHED

Minimum documentation searched (classification system followed by classification symbols)

IPC(8) - G06Q 30/00 (2008.04)

USPC - 705/44, 16, 17, 21, 24, 37, 40; 235/380

Documentation searched other than minimum documentation to the extent that such documents are included in the fields searched

Electronic data base consulted during the international search (name of data base and, where practicable, search terms used)

USPTO WEST System (US, USPG-PUB, EPO), Google, Dialog Pro

C. DOCUMENTS CONSIDERED TO BE RELEVANT

Category*	Citation of document, with indication, where appropriate, of the relevant passages	Relevant to claim No.
X — Y	US 2006/0261154 A1 (ARTHUR et al) 23 November 2006 (23.11.2006) entire document.	1-5, 8-15, 18-35, 39, 40 6, 7, 16, 17, 36-38
Y	US 6,308,887 B1 (KORMAN et al) 30 October 2001 (30.10.2001) entire document.	6, 7, 16, 17, 36-38
A	US 2005/0091115 A1 (ARTHUR) 28 April 2005 (28.04.2005) entire document.	1-40

☐ Further documents are listed in the continuation of Box C.

* Special categories of cited documents:

"A" document defining the general state of the art which is not considered to be of particular relevance

"E" earlier application or patent but published on or after the international filing date

"L" document which may throw doubts on priority claim(s) or which is cited to establish the publication date of another citation or other special reason (as specified)

"O" document referring to an oral disclosure, use, exhibition or other means

"P" document published prior to the international filing date but later than the priority date claimed

"T" later document published after the international filing date or priority date and not in conflict with the application but cited to understand the principle or theory underlying the invention

"X" document of particular relevance; the claimed invention cannot be considered novel or cannot be considered to involve an inventive step when the document is taken alone

"Y" document of particular relevance; the claimed invention cannot be considered to involve an inventive step when the document is combined with one or more other such documents, such combination being obvious to a person skilled in the art

"&" document member of the same patent family

Date of the actual completion of the international search

20 October 2008

Date of mailing of the international search report

27 JAN 2009

Name and mailing address of the ISA/US

Mail Stop PCT, Attn: ISA/US, Commissioner for Patents
P.O. Box 1450, Alexandria, Virginia 22313-1450

Facsimile No. 571-273-3201

Authorized officer:

Blaine R. Copenheaver

PCT Helpdesk: 571-272-4300

PCT OSP: 571-272-7774

PATENT COOPERATION TREATY

From the
INTERNATIONAL SEARCHING AUTHORITY

PCT

WRITTEN OPINION OF THE
INTERNATIONAL SEARCHING AUTHORITY

(PCT Rule 43bis.1)

To:

DARIN GIBBY
TOWNSEND AND TOWNSEND AND CREW
LLP
1200 17TH STREET, SUITE 2700
BANK OF AMERICA PLAZA
DENVER, CO 80202

Date of mailing
(day/month/year)

27 JAN 2009

Applicant's or agent's file reference

20375-441-2P

FOR FURTHER ACTION

See paragraph 2 below

International application No.

PCT/US2008/072638

International filing date (day/month/year)

08 August 2008

Priority date (day/month/year)

10 August 2007

International Patent Classification (IPC) or both national classification and IPC
IPC(8) - G06Q 30/00 (2008.04)
USPC - 705/44

Applicant

FIRST DATA CORPORATION

1. This opinion contains indications relating to the following items:

- ☒ Box No. I Basis of the opinion
- ☐ Box No. II Priority
- ☐ Box No. III Non-establishment of opinion with regard to novelty, inventive step and industrial applicability
- ☐ Box No. IV Lack of unity of invention
- ☒ Box No. V Reasoned statement under Rule 43bis.1(a)(i) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement
- ☐ Box No. VI Certain documents cited
- ☐ Box No. VII Certain defects in the international application
- ☐ Box No. VIII Certain observations on the international application

2. **FURTHER ACTION**

If a demand for international preliminary examination is made, this opinion will be considered to be a written opinion of the International Preliminary Examining Authority ("IPEA") except that this does not apply where the applicant chooses an Authority other than this one to be the IPEA and the chosen IPEA has notified the International Bureau under Rule 66.1bis(b) that written opinions of this International Searching Authority will not be so considered.

If this opinion is, as provided above, considered to be a written opinion of the IPEA, the applicant is invited to submit to the IPEA a written reply together, where appropriate, with amendments, before the expiration of 3 months from the date of mailing of Form PCT/ISA/220 or before the expiration of 22 months from the priority date, whichever expires later.

For further options, see Form PCT/ISA/220.

3. For further details, see notes to Form PCT/ISA/220.

Name and mailing address of the ISA/US
Mail Stop PCT, Attn: ISA/US
Commissioner for Patents
P.O. Box 1450, Alexandria, Virginia 22313-1450
Facsimile No. 571-273-3201

Date of completion of this opinion

20 October 2008

Authorized officer:

Blaine Copenheaver

PCT Helpdesk: 571-272-4300
PCT OSP: 571-272-7774

WRITTEN OPINION OF THE
INTERNATIONAL SEARCHING AUTHORITY

International application No.

PCT/US2008/072638

Box No. I Basis of this opinion

1. With regard to the language, this opinion has been established on the basis of:
☒ the international application in the language in which it was filed.
☐ a translation of the international application into _____ which is the language of a translation furnished for the purposes of international search (Rules 12.3(a) and 23.1(b)).
2. ☐ This opinion has been established taking into account the rectification of an obvious mistake authorized by or notified to this Authority under Rule 91 (Rule 43bis.1(a))
3. With regard to any nucleotide and/or amino acid sequence disclosed in the international application, this opinion has been established on the basis of:
 - a. type of material
☐ a sequence listing
☐ table(s) related to the sequence listing
 - b. format of material
☐ on paper
☐ in electronic form
 - c. time of filing/furnishing
☐ contained in the international application as filed
☐ filed together with the international application in electronic form
☐ furnished subsequently to this Authority for the purposes of search
4. ☐ In addition, in the case that more than one version or copy of a sequence listing and/or table(s) relating thereto has been filed or furnished, the required statements that the information in the subsequent or additional copies is identical to that in the application as filed or does not go beyond the application as filed, as appropriate, were furnished.
5. Additional comments:

**WRITTEN OPINION OF THE
INTERNATIONAL SEARCHING AUTHORITY**

International application No.

PCT/US2008/072638

Box No. V Reasoned statement under Rule 43bis.1(a)(i) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement

1. Statement

Novelty (N)	Claims	6, 7, 16, 17, 36-38	YES
	Claims	1-5, 8-15, 18-35, 39, 40	NO
Inventive step (IS)	Claims	None	YES
	Claims	1-40	NO
Industrial applicability (IA)	Claims	1-40	YES
	Claims	None	NO

2. Citations and explanations:

Claims 1-5, 8-15, 18-35, 39 and 40 lack novelty under PCT Article 33(2) as being anticipated by Arthur et al (US 2006/0261154 A1)

As per claim 1, Arthur et al discloses a method of activating a plurality of disparate stored value presentation instruments (activating a plurality of gift cards utilizes a package of multiple presentation instruments, see abstract, in 2 and 3 and para [0056]), the method comprising: providing a set of multiple presentation instruments (a package of multiple presentation instruments, see abstract, in 2 and 3), wherein each presentation instrument includes a unique presentation instrument identifier used to associate value with the presentation instrument (a unique presentation instrument identifier is used to associate a value with the presentation instrument, see para [0059]), and wherein the set includes at least first and second presentation instruments redeemable at different merchants (the presentation instruments may all be redeemable at an assortment of merchants, see para [0065]), receiving a set identifier that identifies the set of presentation instruments (identifies set of presentation instruments, see para [0055] and [0056]), accessing from a computer database, based on the set identifier, a list of the presentation instruments in the set (accessing list of the presentation instruments in the set, see para [0056]), and activating each presentation instrument in the set for a certain activation amount (each of the presentation instruments in the package is activated for a certain activation amount, see para [0008], [0009] and [0013]).

As per claim 2, Arthur et al discloses the method of claim 1, wherein receiving the set identifier further comprises receiving the set identifier by a host computer system over an electronic network (the package identifier is read from the package and is transmitted over an electronic network to a host computer, see para [0013]), the method further comprising activating at the host computer system all of the presentation instruments in the set (each of the presentation instruments in the package is activated for a certain activation amount, see para [0013]).

As per claims 3 and 26, Arthur et al discloses the method of claim 1, wherein receiving the set identifier further comprises receiving the set identifier by a host computer system over an electronic network (the package identifier is read from the package and is transmitted over an electronic network to a host computer, see para [0013]), the method further comprising: activating at the host computer system fewer than all of the presentation instruments in the set (some cards which have \$100 will not be activated in certain stores, see para [0046] and [0039]), sending by the host computer system a message to another computer system, the message identifying a presentation instrument not activated at the host computer system (, see para [0045]-[0047]), and activating at the other (second) computer system the presentation instrument not activated at the host computer system (deciding which set of cards to activate and which set are not, see para [0046]).

As per claim 4, Arthur et al discloses the method of claim 1, wherein receiving the set identifier further comprises receiving the set identifier by an aggregating computer system over an electronic network, different functions on a same computer, see para [0041] and fig 7), and further comprising: sending a message from the aggregating computer system to a first host computer system, the message identifying a first presentation instrument in the set (multi-function network computer such as 716 sends request to host computers such as 712 and 720 to activate the instruments, see fig 7 and para [0013], [0036], [0038] and [0041]), activating the first presentation instrument at the first host computer system (, see para [0049]), sending a message from the aggregating computer system to a second host computer system (multi-function network computer such as 716 sends request to host computers such as 712 and 720 to activate the instruments, see fig 7 and para [0013], [0036], [0038] and [0041]), the message identifying a second presentation instrument in the set (the signal identify whether the cards is \$50 or \$100, see para [0049]), and activating the second presentation instrument at the second host computer system (activating the cards using the host computer, see para [0049]).

As per claims 5, 15, 28 and 34, Arthur et al discloses the method of claim 1, wherein at least one of the presentation instruments is a gift (value) card (activating a plurality of gift cards utilizes a package of multiple presentation instruments, see para [0013]).

(Cont. in Supplemental Box)

WRITTEN OPINION OF THE
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PCT/US2008/072638

Supplemental Box

In case the space in any of the preceding boxes is not sufficient.

Continuation of:

Box No. V

2. Citations and explanations:

As per claims 8 and 19, Arthur et al discloses the method of claim 1, wherein the set of presentation instruments is secured together by a package (secured together by a package, see para [0019]), and further comprising electronically reading the set identifier from the package at a point of sale using a reader selected from the set consisting of a bar code reader, a magnetic stripe reader, and an RF reader (the package identifier may be read electronically at a point of sale device using a reader, wherein such readers may include a bar code reader, see para [0014]).

As per claims 9, 29 and 35, Arthur et al discloses the method of claim 1, wherein each of the presentation instruments is represented electronically (the instrument's identifier may be read electronically, see para [0014]).

As per claim 10, Arthur et al discloses the method of claim 1, wherein at least one of the presentation instruments is activated for an amount different than an amount for which another of the presentation instruments is activated (at least some of the presentation instruments may be activated for different activation amounts, see para [0015]).

As per claim 11, Arthur et al discloses the method of claim 1, wherein providing the set of multiple presentation instruments further comprises selling the set to a consumer at a point of sale (one of the presentation instrument identifiers may be read with a point of sale device when performing a redemption transaction, see para [0016] and [0038]).

As per claim 12, Arthur et al discloses the method of claim 1, wherein providing the set of multiple presentation instruments further comprises selling the set to a consumer over a computer network (selling to consumer across a computer network, see para [0038]).

As per claim 13, Arthur et al discloses the method of claim 1, wherein the stored value associated with at least one of the presentation instruments is a service (the package identifier along with the ten account identifiers in the package may be transmitted to database to store this information, see para [0056]).

As per claim 14, Arthur et al discloses a presentation instrument package arrangement (multiple presentation instruments, see abstract, in 1-5), comprising: a set of multiple presentation instruments (multiple presentation instruments, see abstract, in 1-5), each presentation instrument having a unique account identifier stored thereon (a plurality of presentation instruments that each have an account identifier stored thereon, see para [0017]), each account identifier associated with a stored value account maintained on a host computer system (a package identifier is associated with the packaging material and is readable by a point of sale device to activate each of the presentation instruments at the host computer system, see para [0017]), the set comprising first and second presentation instruments redeemable at different merchants (the presentation instruments may all be redeemable at the same merchant or with an assortment of merchants, see para [0065]), a package securing the presentation instruments together (packaging material used to secure the presentation instruments together, see para [0019]), and a set identifier uniquely identifying the set of presentation instruments (each presentation instrument includes a magnetic stripe, upon which is stored a unique presentation instrument identifier or account identifier, see para [0059]), the set identifier readable from the package by a point of sale device to activate each of the presentation instruments (a package identifier is associated with the packaging material and is readable by a point of sale device to activate each of the presentation instruments at the host computer system, see para [0017]).

As per claim 18, Arthur et al discloses the presentation instrument package arrangement of claim 14, wherein the presentation instruments in the set are selected to conform with a theme (a method to scan the instruments, see para [0042]).

As per claim 20, Arthur et al discloses the presentation instrument package arrangement of claim 14, wherein the stored value associated with at least one of the presentation instruments is a service (the package identifier along with the ten account identifiers in the package may be transmitted to database to store this information, see para [0056]).

As per claim 21, Arthur et al discloses a method of producing a presentation instrument package (multiple presentation instruments, see abstract, in 1-5), the method comprising: selecting a set of presentation instruments (a package includes a set of presentation instruments which may be similar to presentation instruments, see para [0063]), storing a unique account identifier on each presentation instrument (store the presentation instrument unique identifier, see para [0059]), the set comprising at least first and second presentation instruments redeemable at different merchants (different values instruments redeemable at different merchants, see para [0063] and [0065]), securing the presentation instruments together with a package (secured together by a package, see para [0019]), the package comprising a set identifier uniquely identifying the set of presentation instruments (each presentation instrument includes a magnetic stripe, upon which is stored a unique presentation instrument identifier or account identifier, see para [0059]), and associating the unique account identifiers with the set identifier in a computer database (the package identifier and account identifiers for each of the presentation instruments in the package may be stored in a database along with a value for each of the presentation instruments, see para [0064] and [0065]).

As per claim 22, Arthur et al discloses the method of claim 21, further comprising storing the database on a host computer (storing the database on host computer, see para [0015]).

As per claim 23, Arthur et al discloses the method of claim 21, further comprising storing the database on an aggregating computer (different functions on a same computer, see para [0041]).

(Cont. in Next Supplemental Box)

**WRITTEN OPINION OF THE
INTERNATIONAL SEARCHING AUTHORITY**

International application No.

PCT/US2008/072638

Supplemental Box

In case the space in any of the preceding boxes is not sufficient.

Continuation of:

Previous Supplemental Box:

As per claim 24, Arthur et al discloses a system for activating a set of disparate stored value presentation instruments (activating a plurality of gift cards utilizes a package of multiple presentation instruments, see abstract, in 2 and 3 and para [0056]), the system comprising: a host computer system comprising storage holding a database (storing the database on host computer, see para [0015]), the database associating a set identifier with a plurality of unique account identifiers (storing the unique account identifier in database, see para [0013], [0015] and [0059]), the set identifier identifying a set of at least two presentation instruments redeemable at different merchants (different values instruments redeemable at different merchants, see para [0063] and [0065]), each unique identifier used to associate value with one of the presentation instruments in the set (each presentation instrument includes a magnetic stripe, upon which is stored a unique presentation instrument identifier or account identifier, see para [0059]), and an electronic network over which the host computer system receives the set identifier and a request to activate the presentation instruments in the set (an electronic network to a host computer system which evaluates the package identifier, see abstract, last 6 lines), wherein the host computer system activates at least one of the presentation instruments in response to the request (host computer system that is used to activate multiple presentation instruments, see para [0036]).

As per claim 25, Arthur et al discloses the system of claim 24, wherein the host computer system activates all of the presentation instruments in the set in response to the request (request to activate all cards, see para [0046]).

As per claim 27, Arthur et al discloses the system of claim 24, further comprising a package that secures the set of presentation instruments together (secured together by a package, see para [0019]), the package comprising the set identifier in a form readable by a point of sale device (the package identifier may be read electronically at a point of sale device using a reader, wherein such readers may include a bar code reader, see para [0014]).

As per claim 30, Arthur et al discloses a system for activating a set of disparate stored value presentation instruments (activating a plurality of gift cards utilizes a package of multiple presentation instruments, see abstract, in 2 and 3 and para [0056]), the system comprising: an aggregating computer system comprising storage holding a database (different functions on a same computer, see para [0041]), the database associating a set identifier with a plurality of unique account identifiers (storing the unique account identifier in database, see para [0013], [0015] and [0059]), the set identifier identifying a set of at least two presentation instruments redeemable at different merchants (different values instruments redeemable at different merchants, see para [0063] and [0065]), each unique identifier used to associate value with one of the presentation instruments in the set (each presentation instrument includes a magnetic stripe, upon which is stored a unique presentation instrument identifier or account identifier, see para [0059]), and an electronic network over which the aggregating computer receives the set identifier and a request to activate the presentation instruments in the set (, see para [0038] and [0041]), a first host computer that activates a first presentation instrument in the set (validation computer 712, see para [0041]), a second host computer that activates a second presentation instrument in the set (activation computer 720, see para [0041]), wherein the aggregating computer sends messages to each of the host computers requesting activation of the respective presentation instruments (multi-function network computer such as 716 sends request to host computers such as 712 and 720 to activate the instruments, see fig 7 and para [0019], [0036], [0038] and [0041]).

As per claim 31, Arthur et al discloses a method, comprising: offering to a consumer, in return for the purchase of a particular product, a set of stored value presentation instruments (instrument information is stored in database, see para [0056] and [0066]), the set comprising at least first and second presentation instruments redeemable at different merchants (different values instruments redeemable at different merchants, see para [0063] and [0065]), completing a sale of the particular product to the consumer (consumer buying at the point of sale, see para [0003]), providing the set of presentation instruments to the consumer (purchasing gift cards, see para [0003] and [0006]), and activating each of the presentation instruments in the set (each of the presentation instruments in the package is activated for a certain activation amount, see para [0008], [0009] and [0013]).

As per claim 32, Arthur et al discloses the method of claim 31, wherein the set of presentation instruments is offered to the consumer by the manufacturer of the product (offering gift cards, see para [0002] and [0003]), and the set of presentation instruments is provided to the consumer at the time of the sale by a merchant at which the sale takes place (purchasing gift cards, see para [0002] and [0003]).

As per claim 33, Arthur et al discloses the method of claim 31, wherein the set of presentation instruments is offered to the consumer by a merchant at which the sale takes place (offering gift cards, see para [0002] and [0003]), and the set of presentation instruments is provided to the consumer by the merchant at the time of the sale (purchasing gift cards, see para [0002] and [0003]).

As per claim 39, Arthur et al discloses the method of claim 31, wherein activating each of the presentation instruments in the set further comprises: activating one of the presentation instruments for a certain amount (different amount gift cars, see para [0046], [0056] and [0063]), and activating another of the presentation instruments for a different amount (different amount gift cars, see para [0046], [0056] and [0063]).

As per claim 40, Arthur et al discloses the method of claim 31, wherein activating each of the presentation instruments in the set further comprises: in association with the sale transaction, transmitting to a computer over an electronic network a set identifier that identifies the set of presentation instruments (an electronic network to a host computer system which evaluates the package identifier, see abstract, last 6 lines), and accessing from a database stored on the computer a list of unique account identifiers associated with the presentation instruments in the set (the package identifier along with the ten account identifiers in the package may be transmitted to database to store this information, see para [0056]).

(Cont. in Next Supplemental Box)

WRITTEN OPINION OF THE
INTERNATIONAL SEARCHING AUTHORITY

International application No.

PCT/US2008/072638

Supplemental Box

In case the space in any of the preceding boxes is not sufficient.

Continuation of:

Previous Supplemental Box:

Claims 6, 7, 16, 17 and 36-38 lack an inventive step under PCT Article 33(3) as being obvious over Arthur et al in view of Korman et al (US 6,308,887 B1).

As per claims 6 and 16, Arthur et al does not explicitly teach the method of claim 1, wherein at least one of the presentation instruments is a ticket. However, Korman et al teaches at least one of the presentation instruments is a ticket (purchasing tickets, see col 2, In 49-67). It would have been obvious to one of ordinary skill in the art at the time the invention was made to use the above feature in Arthur's invention to broaden the instrument application to include different type of consumers.

As per claims 7 and 17, Arthur et al does not explicitly teach the method of claim 6, wherein the ticket is an admission ticket to a concert, sporting event, theater, amusement park, or ski lift. However, Korman et al teaches the ticket is an admission ticket to a concert, sporting event, theater, amusement park, or ski lift (sporting event ticket, see col 2, In 49-67). It would have been obvious to one of ordinary skill in the art at the time the invention was made to use the above feature in Arthur's invention to broaden the instrument application to include different type of consumers.

As per claim 36, Arthur et al does not explicitly teach the method of claim 35, further comprising storing the electronic representations of the presentation instruments on a handheld electronic device. However, Korman et al teaches storing the electronic representations of the presentation instruments on a handheld electronic device (cellular and wireless communication, see col 7, In 27-30). It would have been obvious to one of ordinary skill in the art at the time the invention was made to use the above feature in Arthur's invention to broaden the instrument application to include different type of communications.

As per claim 37, Arthur et al does not explicitly teach the method of claim 36, wherein the handheld electronic device is a cellular telephone. However, Korman et al teaches the handheld electronic device is a cellular telephone (cellular communication, see col 7, In 27-30). It would have been obvious to one of ordinary skill in the art at the time the invention was made to use the above feature in Arthur's invention to broaden the instrument application to include different type of communications.

As per claim 38, Arthur et al does not explicitly teach the method of claim 31, wherein at least one of the presentation instruments is redeemable only for a limited time. However, Korman et al teaches at least one of the presentation instruments is redeemable only for a limited time (accepting tokens on a certain date, see col 8, In 25-67). It would have been obvious to one of ordinary skill in the art at the time the invention was made to use the above feature in Arthur's invention to increase the amount of sale in case the instrument time expired.

Claims 1-40 meet the criteria set out in PCT Article 33(4), and thus have industrial applicability because the subject matter claimed can be made or used in industry.

NOTES TO FORM PCT/ISA/220

These Notes are intended to give the basic instructions concerning the filing of amendments under Article 19. The Notes are based on the requirements of the Patent Cooperation Treaty, the Regulations and the Administrative Instructions under that Treaty. In case of discrepancy between these Notes and those requirements, the latter are applicable. For more detailed information, see also the *PCT Applicant's Guide*, a publication of WIPO.

In these Notes, "Article," "Rule" and "Section" refer to the provisions of the PCT, the PCT Regulations and the PCT Administrative Instructions, respectively.

INSTRUCTIONS CONCERNING AMENDMENTS UNDER ARTICLE 19

The applicant has, after having received the international search report and the written opinion of the International Searching Authority, one opportunity to amend the claims of the international application. It should however be emphasized that, since all parts of the international application (claims, description and drawings) may be amended during the international preliminary examination procedure, there is usually no need to file amendments of the claims under Article 19 except where, e.g. the applicant wants the latter to be published for the purposes of provisional protection or has another reason for amending the claims before international publication. Furthermore, it should be emphasized that provisional protection is available in some States only (see *PCT Applicant's Guide*, Volume I/A, Annexes B1 and B2).

The attention of the applicant is drawn to the fact that amendments to the claims under Article 19 are not allowed where the International Searching Authority has declared, under Article 17(2), that no international search report would be established (see *PCT Applicant's Guide*, Volume I/A, paragraph 296).

What parts of the international application may be amended ?

Under Article 19, only the claims may be amended.

During the international phase, the claims may also be amended (or further amended) under Article 34 before the International Preliminary Examining Authority. The description and drawings may only be amended under Article 34 before the International Preliminary Examining Authority.

Upon entry into the national phase, all parts of the international application may be amended under Article 28 or, where applicable, Article 41.

When ? Within 2 months from the date of transmittal of the international search report or 16 months from the priority date, whichever time limit expires later. It should be noted, however, that the amendments will be considered as having been received on time if they are received by the International Bureau after the expiration of the applicable time limit but before the completion of the technical preparations for international publication (Rule 46.1).

Where not to file the amendments ?

The amendments may only be filed with the International Bureau and not with the receiving Office or the International Searching Authority (Rule 46.2).

Where a demand for international preliminary examination has been/is filed, see below.

How ? Either by cancelling one or more entire claims, by adding one or more new claims or by amending the text of one or more of the claims as filed.

A replacement sheet must be submitted for each sheet of the claims which, on account of an amendment or amendments, differs from the sheet originally filed.

All the claims appearing on a replacement sheet must be numbered in Arabic numerals. Where a claim is cancelled, no renumbering of the other claims is required. In all cases where claims are renumbered, they must be renumbered consecutively (Section 205(b)).

The amendments must be made in the language in which the international application is to be published.

What documents must/may accompany the amendments ?

Letter (Section 205(b)):

The amendments must be submitted with a letter.

The letter will not be published with the international application and the amended claims. It should not be confused with the "Statement under Article 19(1)" (see below, under "Statement under Article 19(1)").

The letter must be in English or French, at the choice of the applicant. However, if the language of the international application is English, the letter must be in English; if the language of the international application is French, the letter must be in French.

NOTES TO FORM PCT/ISA/220 (continued)

The letter must indicate the differences between the claims as filed and the claims as amended. It must, in particular, indicate, in connection with each claim appearing in the international application (it being understood that identical indications concerning several claims may be grouped), whether

- (i) the claim is unchanged;
- (ii) the claim is cancelled;
- (iii) the claim is new;
- (iv) the claim replaces one or more claims as filed;
- (v) the claim is the result of the division of a claim as filed.

The following examples illustrate the manner in which amendments must be explained in the accompanying letter:

1. [Where originally there were 48 claims and after amendment of some claims there are 51]:
"Claims 1 to 29, 31, 32, 34, 35, 37 to 48 replaced by amended claims bearing the same numbers; claims 30, 33 and 36 unchanged; new claims 49 to 51 added."
2. [Where originally there were 15 claims and after amendment of all claims there are 11]:
"Claims 1 to 15 replaced by amended claims 1 to 11."
3. [Where originally there were 14 claims and the amendments consist in cancelling some claims and in adding new claims]:
"Claims 1 to 6 and 14 unchanged; claims 7 to 13 cancelled; new claims 15, 16 and 17 added." or
"Claims 7 to 13 cancelled; new claims 15, 16 and 17 added; all other claims unchanged."
4. [Where various kinds of amendments are made]:
"Claims 1-10 unchanged; claims 11 to 13, 18 and 19 cancelled; claims 14, 15 and 16 replaced by amended claim 14; claim 17 subdivided into amended claims 15, 16 and 17; new claims 20 and 21 added."

"Statement under Article 19(1)" (Rule 46.4)

The amendments may be accompanied by a statement explaining the amendments and indicating any impact that such amendments might have on the description and the drawings (which cannot be amended under Article 19(1)).

The statement will be published with the international application and the amended claims.

It must be in the language in which the international application is to be published.

It must be brief, not exceeding 500 words if in English or if translated into English.

It should not be confused with and does not replace the letter indicating the differences between the claims as filed and as amended. It must be filed on a separate sheet and must be identified as such by a heading, preferably by using the words "Statement under Article 19(1)."

It may not contain any disparaging comments on the international search report or the relevance of citations contained in that report. Reference to citations, relevant to a given claim, contained in the international search report may be made only in connection with an amendment of that claim.

Consequence if a demand for international preliminary examination has already been filed

If, at the time of filing any amendments and any accompanying statement, under Article 19, a demand for international preliminary examination has already been submitted, the applicant must preferably, at the time of filing the amendments (and any statement) with the International Bureau, also file with the International Preliminary Examining Authority a copy of such amendments (and of any statement) and, where required, a translation of such amendments for the procedure before that Authority (see Rules 55.3(a) and 62.2, first sentence). For further information, see the Notes to the demand form (PCT/IPEA/401).

If a demand for international preliminary examination is made, the written opinion of the International Searching Authority will, except in certain cases where the International Preliminary Examining Authority did not act as International Searching Authority and where it has notified the International Bureau under Rule 66.1bis(b), be considered to be a written opinion of the International Preliminary Examining Authority. If a demand is made, the applicant may submit to the International Preliminary Examining Authority a reply to the written opinion together, where appropriate, with amendments before the expiration of 3 months from the date of mailing of Form PCT/ISA/220 or before the expiration of 22 months from the priority date, whichever expires later (Rule 43bis.1(c)).

Consequence with regard to translation of the international application for entry into the national phase

The applicant's attention is drawn to the fact that, upon entry into the national phase, a translation of the claims as amended under Article 19 may have to be furnished to the designated/elected Offices, instead of, or in addition to, the translation of the claims as filed.

For further details on the requirements of each designated/elected Office, see the *PCT Applicant's Guide*, Volume II.